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SECRETARY'S OFFICE

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A CODIFICATION

OF THE

SANITARY ORDINANCES

OF THE

City of Chattanooga,

*Prepared by the Printing Committee of the Board of Mayor
and Aldermen, in pursuance of a provision of Ordinance No. 324.*

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Committee on Printing.

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A Codification of the Sanitary Ordinances of the City of Chattanooga.

AILANTUS TREE—A Nuisance.

It is ordained that the Ailantus tree, wherever found in the city, is a nuisance. Any person refusing to cut it down, if on his premises, when notified to do so by the police officers, is subject to a fine of five dollars. Ordinance No. 284, Ordinance Book "D."

ALLEYS AND STREETS—Obstructions and Nuisances in.

It shall be a misdemeanor for any person to place any straw, dirt, chips, shells, swill, nails, iron, fruit peelings, melon rinds, or other rubbish, whether offensive or not, on any improved or graded or paved street, alley or sidewalk of the city of Chattanooga. Section 2, Article 3, Ordinance No. 253, Ordinance Book "B."

BUILDINGS—Dangerous.

It shall be the duty of the City Engineer, whenever requested by any citizen of Chattanooga, to examine any

building which endangers human life; and if he shall find such building to be dangerous, he shall notify the owner or owners to have the same repaired and put at once in a safe condition.

If the necessary repairs or alterations are not made within thirty days from such notice, the owner or owners shall be fined twenty-five dollars per day until the alterations or repairs are made. Section 1, Ordinance No. 117, Ordinances '67 to '73.

BOARD OF HEALTH.

There shall be a Board of Health, to be styled "The Board of Health of the City of Chattanooga." It shall consist of nine members, five of whom shall constitute a quorum. They shall be the Mayor, the City Physician, the City Engineer, and the Chairman of the Committee on Health and Hospitals, and five practicing physicians of the city to be elected by the Board of Mayor and Aldermen. The term of office of these five members shall be three years, and until their successors are elected and qualified. They shall elect a President and Secretary, the former for one year and the latter for three years, and the latter shall be the Registrar of Vital Statistics. The members shall receive no compensation. Vacancies in the Board of Health shall be filled by the Board of Mayor and Aldermen.

They shall meet at least once a month, and shall recommend to the City Council such measures as they may deem advisable to promote and secure the health of the city. When they deem it necessary, they shall request the Mayor and Marshal to detail a policeman to act as Sanitary Inspector under their directions, and the Marshal shall detail such officer from the regular police force, with the advice and consent of the Mayor, or a special officer shall be appointed for that purpose. This officer shall wear a badge showing that he is a Sanitary Inspector. The Board of Health, or any member thereof, the Mayor, Marshal or Sanitary Inspector may enter upon or into and examine any building, lot, cellar or other place supposed to be in such a condition as to be prejudicial to health, and if anything be found there existing contrary to proper sanitary regulations, tending to become a nuisance or prejudicial to health or about to become so, notice shall be given to the occupant, agent or owner of the premises to remove or abate the same; and if this is not done then without

such notice, upon the order of any member of the Board of Health such nuisance or anything tending to become a nuisance shall be removed or abated at the cost of the owner of the premises, to be recovered by suit at law.

The Board of Health is fully empowered to establish and enforce the observance of such sanitary regulations as they may deem best calculated to guard against epidemics, infectious, contagious or malignant diseases, and prevent or check their extension. But this does not authorize them to establish quarantine. The Marshal and police are required to act promptly in enforcing the rules of the Board of Health. The Board of Health may decide what constitutes a nuisance or thing prejudicial to health, and may authorize any suitable person to serve notice upon the owner, agent or occupant of property on which or by means of which any nuisance may exist, or to order its abatement or removal, and to specify the time and manner in which the same shall be done. Failure to comply with such notice subjects the person failing to a fine of not less than five dollars nor more than fifty dollars.

Ordinance No. 211, Ordinance Book "B," and Ordinance No. 274, Ordinance Book "D."

CARCASSES.

It is a misdemeanor to throw or put in any street or public place any dead animal, or to fail to remove or bury beyond the city limits any such dead animal before the same shall become offensive to the smell. This last provision applies to the person owning the animal. Sub-Section 5, Section 1, Article 5, Ordinance 253, Ordinance Book "B."

CITY ENGINEER.

Duties in relation to unsafe buildings. See Buildings.
He is *ex officio* a member of the Board of Health.

CITY PHYSICIAN—*To Attend Pauper Sick.*

It shall be the duty of the City Physician to take charge of and give medical and surgical aid and attention to all destitute and pauper sick that may be admitted into the City Hospital, and also to give such attention to the pauper sick of the city not in the hospital upon their application to him,

provided that he finds them really unable to bear the expense of the same. Ordinance No. 105, Ordinance Book "B."

It shall also be the duty of the City Physician to visit pauper sick at their homes when necessary, and to prescribe such medicines as they may need, and to keep copies of all such prescriptions, showing also the date issued, to whom issued, and by whom filled.

He shall keep a record of all paupers who die in the city, showing the name, age, color, sex, and disease causing death. The Marshal shall notify him of all deaths of paupers outside of the hospital.

Ordinance No. 107, Ordinance Book "B."

By Ordinance No. 263, Ordinance Book "B," it is made the duty of the City Physician to care for "refugees" from cities in which epidemics prevail, in certain cases. See Refugees.

By Ordinance No. 274, Ordinance Book "D," he is made Registrar of Vital Statistics. See Registrar.

CITY SEXTON.

It is the duty of the City Sexton to bury all paupers who die in the City Hospital, upon the order of the City Physician, and also all who die within the city, but not in the hospital, upon the order of the Mayor, Marshal or Chairman of the Committee on Cemeteries. Ordinance No. 135, Ordinance Book "B."

GUTTERS.

It is a misdemeanor to allow the gutters in front of a person's house or place of business to remain obstructed or in a filthy state, and also to fail to clean the same upon three hour's notice from any officer of the city. Section 8, Article 4, Ordinance No. 253, Ordinance Book "B."

MARSHAL.

It shall be the duty of the City Marshal to enforce the laws of the city in relation to nuisances of every description, and for that purpose he is required to visit as frequently as the faithful discharge of his duties will permit the different

parts of the corporation, in order more effectually to discover such nuisances and remove the same if in his power, and if not to report the same to the Board of Mayor and Aldermen. Section 4 of Ordinance No. 6, Ordinances '67 to '73.

He shall have general supervision over the subject of nuisances. Section 16, Article 8, Ordinance 253, Ordinance Book "B."

He shall cause notices to be served upon the owners, agents or occupants of property, when necessary, to have privy vaults or other unhealthy places cleaned and disinfected. Ordinance No. 145, Ordinance Book "B."

He shall report nuisances in streets, alleys and other places. Ordinance No. 254, Ordinance Book "B."

He shall notify the City Physician of all deaths of paupers in the city, occurring outside of the City Hospital. Ordinance No. 107, Ordinance Book "B."

MEAT—*Unwholesome.*

It is a misdemeanor to sell or offer to sell or dispose of any putrid or unhealthy meat. Section 1, Article 6, Ordinance No. 253, Ordinance Book "A."

MILK, SALE OF—*Unwholesome and Diluted.*

It is a misdemeanor to sell or offer to sell or dispose of any unwholesome, adulterated or diluted milk. Section 1, Article 6, Ordinance 253, Ordinance Book "B."

NUISANCES.

It is a misdemeanor to cause, create or permit any nuisance on one's premises within the City or within one mile thereof. Each day that such nuisance is permitted to remain constitutes a separate offense. Sec. 1, Art. 5, Ordinance No. 253, Ordinance Book "B."

The Board of Health shall have power to declare what constitutes a nuisance. Ordinance No. 211, Ordinance Book "B."

It is the duty of the police to report all nuisances discovered by them during the day, to the Marshal or Lieutenant, as they go off duty. Ordinance No. 254, Ordinance Book "B."

POLICEMEN.

They shall carefully inspect all parts of their respective wards, and be at all times enabled to furnish full particulars concerning the condition of their wards. They shall, when going off from duty, report all nuisances observed by them to the Marshal or Lieutenant of Police. Ordinance No. 254, Ordinance Book "B."

POUND KEEPER.

All ordinances, and parts of ordinances heretofore passed, relating to the impounding of animals in Chattanooga, are repealed. The office of Pound Keeper is hereby created, and it shall be the duty of the Mayor and Aldermen to elect some citizen of Chattanooga each year to fill such office. The Pound Keeper shall perform the duties imposed upon him by the Mayor and Aldermen. He shall give bond in the sum of five hundred dollars, conditional for the faithful discharge of his duties. He shall possess all of the powers of a policeman, and shall have full power to protect the animals arrested by him or his agents whether in transit to the pound or at the pound.

It shall be unlawful for hogs, pigs, shoats or goats to run at large upon the streets, in alleys or upon commons, within the city, and any animals found so running at large in violation hereof shall be arrested by the Pound Keeper or his agents, and the said animals are hereby declared a nuisance and may be treated as such. But the provisions hereof shall not apply to that part of the Fifth Ward which lies south of Montgomery Avenue.

Owners of animals who knowingly permit the same to run at large in violation hereof, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars nor more than fifty dollars.

The Pound Keeper shall arrest all animals found at large in violation hereof, and impound them, and keep them safely until claimed by the owners. He shall provide a suitable pound and suitable food for the animals and feed them sufficiently while they are in the pound, and he may employ agents, who shall have such powers as he has in relation to animals.

To resist the Pound Keeper or his agents while in the

discharge of their duties is a misdemeanor punishable by fine of not less than five dollars nor more than fifty dollars.

The Pound Keeper shall, within two hours after the arrest of any animal, post notices of the fact in the City Hall, giving the date and hour of the arrest, and an accurate description of each animal arrested.

The Pound Keeper is authorized to charge and collect the following fees for services incident to the impounding of animals :

For arresting each animal.....	25cts
For feeding each animal, per day.....	25cts
For notices of arrest, per animal	10cts
For reporting to the Recorder for condemnation and sale, each animal	25cts
For each sale made under the judgment of the Recorder	25cts

all of which fees he is authorized to collect from the owners before delivering the animals to them.

When he shall have kept any animal for the period of twenty-four hours without the same having been reclaimed by the owner, he shall notify the Recorder of the fact, with a description of the animal, and the Recorder shall render judgment upon his docket, declaring the animal a nuisance and shall order the same to be sold after ten days notice in five conspicuous places in the city. The animal shall be sold at public outcry to the highest bidder for cash, and the proceeds of the sale shall be paid to the Recorder, and after he has paid the fees due the Pound Keeper, he shall pay the balance to the Auditor who shall pay the same to the Treasurer. But the owner of such animals may redeem them at any time before sale by paying the legal charges thereon.

It is also the duty of the Pound Keeper to arrest any vicious dog found on the streets or commons without a muzzle, between the first day of June and the first day of October of each year, and such dogs shall be killed if not claimed within twenty-four hours.

By Ordinance number 324, Ordinance Book "D" all owners of hogs, in any part of the city are required to remove them beyond the city limits before the first day of April, 1880.

PRIVIES AND PRIVY VAULTS.

It is a misdemeanor to construct any privy or privy vault, less than six feet deep or less than four feet distant from the

line of any street or public place, or from the property of others without the consent of such other persons owning such adjoining property, provided that dry earth privies may be used if the excrement shall be at once covered with dry powdered earth or lime, and provided that the same shall be removed at least twice each month. Sub-section 2, Sec. 1 Article 5, Ordinance No. 253, Ordinance Book "B."

It is a misdemeanor to have a vault or privy on one's premises, whether he be owner or occupant, the contents of which escape therefrom or overflow. Sub-section 3, Sec. 1, Article 5, Ordinance No. 253, Ordinance Book "B."

REFUGEES—*Duties of City Physician in regard to.*

The City Physician is instructed to look after and if necessary take charge of all who come to this city seeking refuge from cities infected with yellow fever, if the Board of Health deem them liable to have yellow fever. He shall furnish necessary accommodations and supplies to them upon the proper certificate of the Board of Health, and the Mayor shall authorize the drawing of a warrant upon the Treasury for sums necessary to carry out these provisions; but no expenditure under the provisions hereof shall exceed two hundred and fifty dollars. Ordinance No. 263, Ordinance Book "B."

REGISTRAR OF VITAL STATISTICS.

The Registrar of Vital Statistics shall keep an accurate record of all deaths in the city, together with the age, sex, color and nativity of each deceased person, the disease or injury which caused death, the exact date of death, the ward in which it occurred, whether the person was married or single, widow or widower, and the occupation of the person. This record shall be kept in the office of the Registrar, and shall be open to the inspection of any person.

It shall be the duty of the Registrar to issue burial permits, upon the proper certificates of the attending physician, midwife or the Coroner; and no deceased person shall be buried in any cemetery of the city without such permit; nor shall the body of any deceased person be removed from the city by railroad, express, steamboat or by any private means whatever without a permit from the Registrar, to be issued upon the certificate of a physician, midwife or Coroner.

It is the duty of the physician, midwife or Coroner to make out, upon blanks furnished by the Registrar, the certificate hereinbefore described, and no permit shall be valid unless signed by the Registrar.

Said Registrar shall make monthly reports of all deaths to the Board of Mayor and Aldermen, setting forth the full history of each death as reported to him.

It shall be the duty of the physicians of the city to report to the Registrar in writing any cases of persons afflicted with any diseases, epidemic, infectious or contagious in their nature, who may come under their charge, and the Registrar shall at once report the same to the Mayor, and he shall report to the City Council for such action as they may deem best. Any person violating any of the provisions of this ordinance shall, upon conviction, be fined not less than ten dollars nor more than fifty dollars. The Marshal and police are especially charged with the enforcement hereof. Ordinance No. 109, Ordinance Book "B."

By Ordinance No. 274, Ordinance Book "D," the duties of the Registrar of Vital Statistics, as above specified, are devolved upon the Secretary of the Board of Health.

SANITARY INSPECTORS.

There shall be assigned from the regular police force, by the Mayor, with the advice of the Marshal, two officers to act as Sanitary Inspectors, under instructions from the Board of Health. They shall report to the Board of Health. They may be replaced by other officers from the regular police force by the Mayor, upon the recommendation of the Board of Health. They shall be clothed with full police powers and receive the same compensation as when on police duty. They shall make thorough and complete house to house inspections, notifying the same to the Board of Health, and shall serve notices upon owners or occupants of such premises as are found in a filthy or unsanitary condition, and require them to clean their premises in accordance with the provisions of city ordinances and the instructions of the Board of Health, within five days from the date of notice. Upon failure of any owner or occupant of houses, lots or land to obey such notice, the inspectors are required to arrest the offender and cause him to go before the Recorder to be tried for creating and maintaining a nuisance in violation of the

ordinances. All privies, stables, pens, yards and lots which may be reported by the inspectors as in bad sanitary condition shall be cleaned before the first day of April, at the expense of the owner or tenant. The contents of privy vaults and other filth of like character shall be removed to such place or places as the Board of Health may designate and provide; and by such methods as they shall deem the least detrimental to public health. The work of cleaning premises, as aboved escribed, shall be carried on only during the months of December, January, February and March of each year, and shall be done at the expense of owners, agents or occupants of premises.

There shall be placed at scavenger work such carts as may be provided by contract or otherwise by the Committee on Health and Hospitals, and at such times and in such numbers as they may think necessary to make a thorough daily canvass of the streets and alleys of the city, for the purpose of gathering up the garbage or kitchen waste and swill, under such regulations as may be adopted by the Board of Health.

The Board of Health having declared the keeping of hogs within the city limits a nuisance, all owners of hogs shall remove the same beyond the city limits or otherwise dispose of them before the first day of April, 1880.

All pens that have been occupied by hogs shall be cleaned, disinfected and deodorized before the first day of April, 1880.

All owners of lots of ground in the city on which water stands and becomes stagnant, are required to drain the same or fill them up with clean earth to a level with surrounding ground. This work shall be done before the first day of May, 1880. Any violation of this ordinance is a misdemeanor, and subjects the offender to a fine of not less than five dollars nor more than fifty dollars.

The Printing Committee shall codify all existing ordinances on the subject of sanitation, together with the rules and instructions prepared upon the same subject by the Board of Health, and shall have 5,000 copies printed for distribution by the Sanitary Inspectors.

The sum of three-fourths of one mill of the tax levy of 1879, which has been or may hereafter be collected during the current year, shall be set aside and constitute a special fund to be known as the sanitary fund, which shall be used solely for such sanitary work as may be ordered by the Mayor and Aldermen during the year 1880. Ordinance No. 324, Ordinance Book "D."

SEWERS—*Providing for construction of.*

A tax of six mills upon each dollar is levied upon all real and personal property in the city for the year 1880, for sewer purposes, the same to be collected with the regular tax levy for 1880. Ordinance No. 323, Ordinance Book "D."

SIDEWALKS—*To prevent nuisances and obstructions on.*

It shall be a misdemeanor for any person to permit any straw, dirt, chips, shells, swill, nails, iron, fruit-peelings, melon rinds or other rubbish to remain or lie upon the sidewalk in front of the premises occupied by him. Each and every person having such articles to dispose of shall deposit the same in a barrel or box, and each day, before the hour of eight o'clock, A. M., shall place the same in a convenient place to be loaded, and it shall be the duty of the scavenger to remove the contents of said box or barrel to a place where it will not be obnoxious, at as early an hour each day as practicable. Section 3, Article 3, Ordinance No. 253, Ordinance Book "B."

It shall be a misdemeanor to permit the sidewalks or gutters in front of one's place of business or house to remain obstructed or in a filthy state, or fail to clean the same after three hours notice from the Marshal or any policeman or other officer of the city. Section 8, Article 4, Ordinance No. 253, Ordinance Book "B."

SLAUGHTER HOUSES.

It is a misdemeanor punishable by a fine of \$50 to keep a slaughter house or pen in the city or within one half mile of the corporate limits. Section 1, Article 5, Ordinance No. 253, Ordinance Book "B."

SLOPS.

It is a misdemeanor for any person to throw any water or other substance from the window of any house or building into the streets or upon the premises of others, or to allow any filth to flow from one's premises into any street or

public place, or upon the property of others. Sub-sections 6 & 8, Section 1, Article 5. Ordinance No. 253, Ordinance Book "B."

VEGETABLES—*Decayed.*

It is a misdemeanor to sell or dispose of any decayed or unwholesome vegetables. Section 1, Article 6, Ordinance 253, Ordinance Book "B."

YELLOW FEVER—*To prevent introduction of.*

It is made a misdemeanor for any hotel keeper, restaurant-keeper, boarding-house keeper or the head of any private family or any member of such family, or any other person in the City of Chattanooga to receive or entertain, in their house or houses, any person from any city or place known to be infected with yellow fever, unless said person shall have been away from the infected locality continually for at least twenty days next preceeding his entrance into this city.

Is is also a midemeanor for any person or corporation, or agent, or employe of any corporation to receive or keep within the corporate limits any baggage, household furniture, goods or freight of any kind, cars of any kind, or express packages (except money) from any city or locality known to be infected by yellow fever, unless said articles shall have been away from the infected locality for thirty days next preceeding its entrance into this city.

It is not lawful for any person to rent or lease to any person from any locality infected by yellow fever, any room, dwelling-house or other house, to be occupied and used temporarily or otherwise by said person, within the city limits, unless the lessee shall have been away from the infected locality, at least thirty days next preceeding such renting or leasing.

A wilful failure or refusal by any person within the city to report any known violation of the provisions hereof to the city authorities, within twelve hours after the offense, or knowledge of the same, is a misdemeanor, punishable by fine of not less than five dollars nor more than fifty dollars.

A wilful violation hereof or attempt to violate any of the provisions hereof, is punishable by fine of not less than five

dollars nor more than fifty dollars. It is the duty of the Mayor, Marshal and the police force to see that this ordinance is faithfully and rigidly enforced. Ordinance No. 290, Ordinance Book "D."

